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C O N F I D E N T I A L SECTION 01 OF 05 MEXICO 000208

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STATE FOR WHA/MEX, INR, INL

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SUBJECT: GOM OFFICIALS DISCUSS MERIDA INITIATIVE WITH CODEL CUELLAR

Classified By: Political Minister Counselor Charles V. Barclay. Reason : 1.4 (b),(d).

¶1. (U) Congressman Henry Cuellar (D-TX) and Congressman Michael McCaul (R-TX), both members of the U.S. House of Representative's Committee on Homeland Security, paid an official visit to Mexico January 21 and 22 on a Committee fact-finding mission to examine the Merida Initiative and its implications for shared Mexican-U.S. security.

Representatives Cuellar and McCaul started off their visit with a trip to Matamoros, Tamaulipas on January 21, where they met with state and local officials, as well as business community leaders. In Mexico City on January 22, they were received by President Calderon at Los Pinos. They also met with Mexican legislators and other senior officials, including Foreign Relations Secretary Patricia Espinosa, Attorney General Medina Mora, and Undersecretary for Strategy and Police Intelligence at the Public Security Secretariat (SSP) Patricio Patino.

Matamoros Businessmen More Focused on Border Issues Than Security

¶2. (U) During the visit in Matamoros, Representatives Cuellar and McCaul met with the Mexican Consuls from McAllen and Brownsville, state and municipal government officials from Tamaulipas and Matamoros, and five prominent members of the regional business community. They primarily discussed security concerns and their impact on investment, and border crossing issues including the increasingly negative effects delays in crossing have on both economic and cultural activities along the border.

¶3. (U) The business representatives and government officials generally agreed that current security concerns in the region have not had much direct negative impact on the regional economy. Narcotics-related violence doesn't frequently directly touch the average person. However, the long-term effects remain to be seen and today's activities could have negative implications in a few years with fewer new investors entering the region. Participants cited negative and (their view) unbalanced publicity rather than violence itself as the reason for the potentially negative impact. The participants were all very interested in the new e-Trace program initiated by the U.S. to track weapons commissioned in the course of a crime. All urged the U.S. to do more to stem the flow of weapons into Mexico from the U.S. as an effective way to

reduce lawlessness in Mexico.

14. (U) Border-crossing issues seem to be a source of greater economic concern in the region than security. Long wait times for pedestrian and passenger vehicle traffic hurt the economy in Texas and has a cultural/family impact also, since many border-area residents have family in both countries. The primary concern with regard to both noncommercial and commercial traffic is a perceived lack of consistency in enforcement of relevant laws and regulations by U.S. officials at the border, and by Texas law enforcement. Many participants believed that an increase in the number of lanes and 24-hour operations for commercial crossings would relieve congestion and enhance just-in-time logistics delivery for border companies serving a 24-hour global economy. Inconsistencies in interviewing practices (specifically widely varying times spent by Customs and Border Protection (CBP) officers with each vehicle) also contribute to frustration, creating the impression that federal law enforcement officials are acting capriciously in their duties. Several participants also described rude treatment by CBP officers as common. There are also significant concerns regarding state and local officials from Texas targeting Mexican truck drivers with inconsistent and overly-picky enforcement. Resultant fines and delays increase costs, which must be passed on to consumers.

15. (SBU) Mexico's two Consuls also raised concern about deportations. Deportation of individuals not originally from the border region creates significant issues for Mexico as many deportees are left in border towns with no means of getting home from the deportation point. In addition, these deportees are sometimes not the kind of people who make good,

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law-abiding local citizens. Mexican border town officials generally do not want such deportees congregating -- unemployed and looking for some way to make an easy dollar -- in their jurisdictions. The participants favored a change in policy that would facilitate deportation of Mexican citizens to the country's interior rather than the border.

President Calderon Stresses Importance of Cooperation

16. (U) President Calderon received Representatives Cuellar and McCaul at his official residence in Mexico City for a one-hour meeting that centered on bilateral issues such as security conditions along the border and the necessity to facilitate the legitimate crossing of goods and people. President Calderon and the Congressmen agreed that the Merida Initiative reflected a new level of cooperation in combating organized crime and that one of the main components of the Initiative was coordinating actions while maintaining full respect for sovereignty for each other's sovereignty. The Congressmen applauded President Calderon's policy against drug trafficking and agreed that bilateral cooperation is the best answer to combat problems that affect both sides of the border.

GOM's Interagency Touts Benefits of Cooperation

17. (SBU) Mexico's Foreign Affairs Secretariat (SRE) hosted Representatives Cuellar and McCaul for a comprehensive meeting with the GOM's inter-agency core group that worked with USG counterparts to give shape to the Merida Initiative. Host Patricia Espinosa, Secretary of Foreign Relations, noted the recent uptick in border violence and the incident over the weekend (January 19) in which a CBP agent was killed. She said the USG and GOM needed a political commitment to work together against organized crime. She also noted that explaining the Merida Initiative to legislators on both sides of the border had been a "delicate procedure." CISEN Secretary General Gustavo Mohar remarked that more gets done when "we work together" and that the January 19 incident reflects the need for a better system to

exchange information on the border.

¶18. (SBU) Representative McCaul appreciated Espinosa and Mohar's comments on the killing of the CBP agent and asked for a commitment that the GOM would work to bring the suspects involved in the January 19 incident to justice, fearing the attack may cause a "ripple effect" of more incidents. Espinosa assured the CODEL that the GOM would do everything possible to capture the suspects and said Mexican Ambassador Sarukhan in Washington had already spoken to U.S. Homeland Security Secretary Chertoff about the incident.

¶19. (SBU) SEMAR Admiral Juan Ramos Alcara Ferrar, Sub-Director of Special Studies, said the Merida Initiative would help strengthen the navy's ability to protect Mexico's maritime borders. Rep. Cuellar asked about Mexican Navy and U.S. Coast Guard cooperation. Alcara said the Mexican Navy has a long history of cooperation with the U.S. Coast Guard, but lamented that the Navy needed better air interdiction capability, a deficiency that the Merida Initiative would address if approved. Alcara also noted that the Mexicans have officials posted to Northcom, Norfolk, and Southcom in Miami.

¶10. (SBU) Renaldo Garcia, International Relations Coordinator at the National Immigration Institute (INM), explained that the Merida Initiative would allocate USD 31 million for immigration enforcement. When combined with an increase in budget from the GOM, this represents a 103% increase in INM's total budget, with an emphasis on Mexico's southern border.

¶11. (SBU) Rep. Cuellar commented on the need for both countries to find "our zone of comfort." He noted that his colleague Rep. Reyes had been considering a "joint-border patrol" to cover human trafficking, arms, etc. He asked, hypothetically, that if extra USG funding were provided over and above that of the Merida Initiative, what the political cost would be to participate in such a joint-venture. He noted the two countries, common need for a secure border and

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informed GOM officials present that the USG has added 2,500 border patrol agents and plans to hire an additional 3,000. Espinosa responded that the GOM does not have an "integrated vision" of border enforcement which considers commercial crossings, drug trafficking, etc. As such, she focused on the utility of collaborative efforts, such as the Border Enforcement Security Task Force (BEST) and the bilateral Border Facilitation Working Groups.

¶12. (SBU) Jesus Alberto Fernandez Wilburn, a Director General from Customs (Treasury), highlighted the commercial and security concerns at the border and a need to improve information-sharing. Rep. Cuellar said the problem of long lines of cars waiting to cross the border into the U.S. was recognized and more funding for infrastructure development at border checkpoints would be sought to address the problem.

SSP Describes Efforts to Improve Performance, Fight Corruption

13.(SBU) Patricio Patino (Sub-Secretary for Intelligence and nominal number 2 in Mexico's Secretariat for Public Security (SSP)) used his meeting with the U.S. Congressmen to focus on GOM efforts to affect profound changes within the federal policing system. Patino stressed that the expansion of the federal police would include a far greater reliance on a local presence nationwide than exists today. SSP will also extend the reach of the federal police through the "Platform Mexico" project that will facilitate a real-time link among federal, state, and the 150 key local police forces around the country. Patino also briefed the Congressmen on SSP's efforts to attack corruption and create a trusted police force through a focus on professional responsibility; one day, SSP hopes to be able to polygraph and otherwise review the entire 330,000 national police force (including federal,

state and local personnel).

¶14. (SBU) Rep. Cuellar asked how the USG might help to train state and local police. Patino welcomed this kind of assistance - perhaps on a pilot basis once SSP has effectively instituted greater controls on corruption and across its many jurisdictions. Patino then noted the importance of the USG expanding upon its training from FBI, DEA and ICE for its special units. Rep. McCaul queried regarding SSP's needs for aircraft and applauded SSP's anti-corruption efforts. He also asked about which Mexican entity was the best counterpart to the U.S. Border Patrol. Patino acknowledged that Mexico had no perfect peer agency, since the responsibilities of the U.S. Border Patrol are shared by several agencies in Mexico. He agreed that the restructured federal police would one day be able to place up to 4,000 personnel and helicopters in Mexican states bordering the U.S., greatly improving Mexico's ability to respond as a peer to the U.S. Border Patrol.

PGR Looking for Deeper Cooperation on Marijuana

¶15. (SBU) Mexico's Attorney General (AG) Eduardo Medina Mora, accompanied by PGR Special Advisor Oscar Rocha, Deputy Attorney General Jose Luis Santiago Vasconcellos, and other PGR officials, hosted the U.S. Congressmen for lunch. Medina Mora opened the meeting by informing the CODEL that PGR had scored a major victory that morning with the arrest of Alfredo Beltran Leyva who is considered to be a key aide to Sinaloa Cartel Chief Joaquin "El Chapo" Guzman. The AG also noted other recent GOM/PGR initiatives and successes, such as the 2008 ban on all imports of methamphetamine precursor chemicals, the record-setting cocaine seizure of over 23 MT in Manzanillo and the Zhenli Ye Gon arrest and confiscation of over 207 million USD in cash.

¶16. (C) Medina Mora outlined three main counter-narcotics goals for the GOM/PGR.

-- The first objective was to disrupt the flow of cocaine from South America/Colombia to the U.S. through the Central America/Mexico corridor, eventually redirecting cocaine shipments through the Caribbean and perhaps via Africa to Europe to address the rising demand there. He reasoned that

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the threat inherent to drug trafficking along the Central American-Mexico route has higher national security implications for both the U.S. and Mexico.

-- The second goal was to attack the links that had developed between the Mexican and Colombian cartels by confiscating massive shipments and forcing disputes over which end of the transaction (the buyer or the seller) would absorb the multi-million dollar losses.

-- The third goal -- shared with a twinkle in his eye -- was to see the U.S. soon become self-sufficient in meeting its own marijuana demand.

¶17. (SBU) Turning serious on the question of marijuana, Medina Mora revisited a concern he had raised last week with visiting AG Mukasey remarking that trafficking in marijuana was a critical secondary cash source for cartels -- one that covered basic overhead costs even when authorities could disrupt the more-lucrative cocaine shipments. He stated his concern regarding the USG policy to limit prosecution only to traffickers caught with shipments over 500 lbs; foreigners caught with smaller loads were simply deported. Medina Mora stated his hope that this policy might be changed.

¶18. (SBU) Rep. McCaul asked if there was any indication that the drug cartels were involved in human trafficking (or moving Special Interest Aliens). The AG responded there were no links and that this business was too risky for the more

profitable drug trade. Oscar Rocha highlighted the effectiveness of the Operation Against Smugglers Initiative on Safety and Security (OASSIS), which provides for bilateral information-sharing in a variety of law enforcement and security areas, including real-time information regarding ongoing alien smuggling investigations. Medina Mora proposed extending OASSIS to cover cases involving arms trafficking and marijuana.

¶19. (SBU) The AG opined that the USG-GOM law enforcement relationship was at its best ever, but "we still have a long way to go." He said that the current level of programmatic support from the USG did not track with the gravity of this shared problem. The approval of the Merida Initiative would be more than just US\$500 million - which was only a small fraction of what the GOM is already spending -- but also an important message showing not only the commitment of the U.S. Congress to increased law enforcement cooperation, but a strong signal to the cartels that the two governments are united on this issue.

Mexican Legislators Stress Respect for Sovereignty, U.S. Responsibility

¶20. (SBU) The President of the Mexican Senate's North American Commission, Senator Garcia Cervantes, hosted a brief meeting for the CODEL with fellow PAN Senators Adriana Gonzales, Felipe Gonzales and Luis Coppola Joffrey and PRD Deputy Jacques Medina. Garcia Cervantes was pleased Congressmen Cuellar and McCaul were meeting with President Calderon as it demonstrated the commitment both sides have made to broadening counter-narcotics cooperation. However, he stressed that it was important for U.S. visitors to meet with Mexican legislators too, adding that while most appreciate the need for bilateral cooperation, and agree with the premises of the Merida Initiative, several concerns needed to be addressed. Garcia Cervantes said the initiative had to be a "truly cooperative effort" and not a plan dictated exclusively by U.S. interests. Other Mexican legislators present agreed generally that circumstances in Mexico warranted greater bilateral collaboration, and expressed overall support for the Merida Initiative, but stressed the importance they attached to respect for Mexican sovereignty and the need for the U.S. to do more on its side of the border to curb demand for illegal drugs and stem the flow of illegal arms into Mexico.

21. (SBU) Congressmen Cuellar and McCaul acknowledged these concerns, and said they hoped the Merida Initiative would not only strengthen GOM capabilities in counter-narcotics operations, but mark a step forward in closer cooperation in

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such areas as information-sharing and cross-border cooperation to stem illegality and violence that too often impact communities on both sides of the border.

SEDENA Committed to Addressing Human Rights Concerns

¶22. (SBU) Congressmen Cuellar and McCaul later had a private dinner with Secretary of National Defense Gen. Guillermo Galvan Galvan where they raised questions about the role of the military in the war on drugs and concerns about human rights abuses. Gen. Galvan assured the Congressmen that the military was working in close coordination with PGR and SSP in the conduct of counter-narcotics operations. He also said the GOM was committed to the promotion and protection of human rights and responding more transparently to human rights concerns. (Note: In 2007, SEDENA accepted National Commission on Human Rights' (CNDH) recommendations in regards to the abuses committed by soldiers that year. Earlier this month SEDENA announced the creation of a human rights office. The new office is expected to ensure that the agency is in compliance with International Humanitarian law, address human rights complaints, and promote greater respect and understanding for human rights within the military. End Note.)

Comment

¶23. (SBU) Comment: The visit by Congressmen Cuellar and McCaul availed them a good opportunity to obtain a broader perspective on the importance the Mexican Government attaches to deeper cooperation with the U.S. The Mexican Government not only welcomes the material benefits connected to the Merida Initiative but hopes to expand cooperation in fighting attendant problems including arms and marijuana trafficking. Both sides agreed this kind of cooperation offered the best prospects of combating effectively our shared law enforcement challenges.

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